

APPENDIX 3B

Downtown Overlay District

A. General Regulations

1. Upon the effective date of this Ordinance, within the overlay districts, no person shall commence any development activity as defined in § 158.07 without obtaining a permit issued, without cost, pursuant to the procedures set forth in § 158.08 certifying compliance with the applicable overlay district development review guidelines.
2. The Development Review Guidelines, attached hereto as Exhibit D, as amended on the effective date of this Ordinance and incorporated herein by reference, are enacted. The Development Review Guidelines are not intended to discourage development or to dictate architectural design or style, but to encourage such development that contributes to the overall urban design quality of the downtown and of each district. These Development Review Guidelines and the distinctive characteristics for each overlay district shall be the basis for evaluating applications for development proposals as applicable within each district as follows:
 - a. All Principles, as defined in Section 158.03, which are part of the Development Review Guidelines for a particular Overlay District, must be satisfied before an overlay district permit may be issued.
 - b. In order to demonstrate conformance with a particular Principle for an Overlay District and compliance with the Development Review Guidelines, a development application need not satisfy all District guidelines, as defined in Section 158.03, which relate to that Principle if a determination is made pursuant to the provisions of Subsection (B)(3) below that one or more District Guidelines are not applicable.
 - c. The Urban Design Administrator or Committee, as authorized respectively under Section 158.08(E) and Section 158.08(F), may determine that a District Guideline which relates to a Principle for an Overlay District should not be applied in evaluating whether a development application conforms to the Principle upon making findings of fact pursuant to Section 158.08 for each such District Guideline that:
 - i. The particular location characteristics of the site or existing structure, make the District Guidelines inappropriate for purposes of determining conformance with the particular Principle in the Overlay District; or

- ii. The applicant has demonstrated that the application addresses distinctive characteristics of the Overlay District not reflected in the District Guidelines which are applicable to the particular Principle and which provide an additional or alternative basis for determining conformance with that Principle in the Overlay District.
 - d. Upon making a determination that a development application concerns a site which is located in sufficient proximity to one or more other Overlay Districts and that it shares some of the characteristics of such nearby Overlay District or Districts, the Urban Design administrator or the Downtown Development Review Overlay District Committee, as authorized respectively under Section 158.08(E) and Section 158.08(F), may consider the District Guidelines applicable appropriate, in determining conformance with that same Principle in the Overlay District in which the proposed development is located. However, a development application shall not be required to satisfy all of the District Guidelines for that same Principle in the other Overlay Districts in order to demonstrate compliance with the Principle.
 - e. If a development application involves a phased project, the Urban Design Administrator or the Committee, as authorized respectively under Section 158.08(E) and Section 158.08(F), may, as a condition of approval of an overlay district permit for the first phase or phases, require landscaping, fencing, lighting and such other interim treatments as the Administrator or the Committee may determine appropriate for the undeveloped portion of the phased project.
3. It shall be a condition precedent to obtaining any permit for any development activity within an overlay district that the person has obtained an overlay district permit pursuant to this Section. Permits shall be issued only where it is determined, pursuant to the procedures established by this chapter, that the proposed development activity is in compliance with the Development Review Guidelines for the overlay district. In order to ensure that this Ordinance continues to further the goals and objectives of the Louisville Downtown Development Plan, the Committee shall review the Guidelines and recommend to the Board any amendments necessary.
4. The Downtown Review Overlay shall be comprised of the following four sections whose boundaries are described in the City of Louisville Code of Ordinances Title XV, Chapter 158, Exhibit A:
 - a. Core-Broadway Overlay District
 - b. East-West Downtown Overlay District

- c. Main-Market Overlay District
 - d. Waterfront View Overlay District
- B. Core-Broadway Overlay District
 - 1. All new construction or improvements should be built to property lines.
 - 2. Whenever nearby buildings are primarily built to the sidewalk, the shapes and forms of new construction or improvements should create a strong, well-defined base at pedestrian level that fits well into its context. As a general minimum, this base should be two to three stories.
 - 3. To allow adequate light and air, tall building (over 14 stories) should generally:
 - a. Keep 100 feet between other tall building within the same block.
 - b. Make sure the upper stories of tall buildings are progressively narrower.
 - 4. The shapes and forms of a building and its orientation to the street, to people and to nearby buildings should:
 - a. Enhance existing views and vistas--or potential ones.
 - b. Be sensitive to any impact on the pedestrian, including overexposure to the sun, too much wind, or not enough light or air.
 - c. Relate strongly to nearby buildings, particularly at the edges of the district where stepbacks or changes in building height and volume are important.
 - 5. Rooftops should avoid looking cluttered from any vantage point. All mechanical or utility equipment should be well-integrated into the overall design.
 - 6. The exterior of any construction, improvements or alterations should be designed and detailed so that it fits well into its architectural surroundings. Exteriors should:
 - a. Be compatible with the general character of nearby buildings.
 - b. Reinforce the character of any buildings having historic or architectural significance according to the Downtown Development Plan.

- c. Follow the latest edition of the Secretary of the Interior's Standards for Rehabilitation as a guide whenever historic or architecturally significant structures are involved; in short, don't alter significant features.
7. Blank, fortress-like walls at the street level are discouraged. Buildings in the Core-Broadway District should:
 - a. Strive to maintain the vertical street-level patterns of architectural details common throughout the district. Columns, doorways, entrances, storefronts and other vertical elements should be approximately every 20 to 40 feet at pedestrian level.
 - b. Use glass to encourage people activity and make buildings look and feel more inviting to the pedestrian. As a general rule, 50 percent of the wall surface next to the pedestrian should be clear.
 - c. Use design details to emphasize the building's base, so that there's a strong horizontal feeling to which people at sidewalk level can easily relate.
8. Lighting--interior and exterior--is important in making buildings and the downtown in general look and feel more inviting 24 hours a day. Lighting should:
 - a. Be integrated into the exterior design.
 - b. Help create a greater sense of activity, security and interest to the pedestrian.
9. Any parking garage visible from the street should be integrated into its surroundings and provide an active and inviting street-level use and appearance. The garage should:
 - a. Follow all guidelines for Building Design.
 - b. Avoid ramped floors that are clearly visible from the street.
 - c. Make sure the predominant vertical and horizontal architectural forms and patterns within the districts are followed.
 - d. Be sensitive to conflicts between cars and pedestrians.
 - e. Have openings and entrances that are in scale with people.
 - f. Provide adequate direction and information signs for motorists.
10. Surface parking lots should ideally not create gaps along the street and sidewalk. Any surface lot in the district should:

- a. Use landscaping, trees, colonnades or other construction to maintain the line formed by buildings along the sidewalk.
 - b. Make sure there is adequate perimeter landscaping that is high enough to screen but low enough to let people feel safe.
 - c. Interior landscaping should especially include shade trees.
 - d. Provide adequate direction and information signs for motorists.
11. Open space should reinforce the sense of building frontage along the street. As a general rule, any newly developed or improved open space should:
 - a. Be 100 feet away from any other open space.
 - b. Stay 100 feet from any intersection.
 - c. Avoid being any wider or deeper than 100 feet.
 - d. Use fences, trees, benches or other landscaping as a way to continue the sense of building frontage along the sidewalk.
12. Any newly developed or improved open space accessible to the public should generally:
 - a. Create a comfortable and interesting place to rest.
 - b. Let people clearly know it's there and that it's accessible.
 - c. Provide plenty of seating (about one linear foot for every 30 square feet of paved open space).
 - d. Have enough lighting to create a safe nighttime environment.
 - e. Use fountains or other water features.
 - f. Incorporate public art.
13. Any newly developed or improved open space not directly accessible to public should be designed like a garden and should generally:
 - a. Respect the sense of building frontage along the sidewalk.
 - b. Let pedestrians have a full view of the garden.
 - c. Use flowers and planting material that is attractive year-round.
 - d. Create a comfortable and interesting place to rest.

- e. Have enough lighting to create a safe nighttime environment.
- f. Use fountains or other water features.
- g. Incorporate public art.
- 14. The West Main Street Urban Design and Streetscape Guidelines apply.
- 15. The Downtown Banner Guidelines (pursuant to Ordinance No. 99, Series 1992 and Street Banner Program Guidelines II. D, and IV. A, B, C) apply.
- 16. Fences and walls should create or imply the continuation of the sense of frontage on the sidewalk established by surrounding buildings. (See Open Space and Off-Street Parking Guidelines.)
- 17. Broadway and Second Street have been identified as future parkways. These streets should be tree-lined and parkway-like in appearance, with landscaping and other right-of-way improvements.
- 18. For the sake of visual continuity, large shade trees should be planted in the right-of-way every 25 feet to 35 feet along the curbline in order to create a continuous canopy.
- 19. A mix of ornamental and shade trees can be planted outside the right-of-way for both shade and visual variety.
- 20. Signs should be sensitive to the architectural character of the district, building and project. Accordingly:
 - a. Integrate the sign into the design of the building or project; signs should fit, not cover.
 - b. Avoid gaudy, moving or harshly illuminated signs.
- 21. Public art should be available for the enjoyment and enrichment of all the people within the community. Inclusion of a meaningful allowance for the Commissioning of public art in the planning and construction of all significant building projects is encouraged.
- 22. The public art planning and selection process should begin at the onset of individual projects. It should be designed, executed and/or supervised by artists or other design professionals to integrate the artwork with the overall project and aesthetically enhance the urban environment.

C. East-West Downtown District

1. Building should be about 20 feet from the sidewalk in the East-West Downtown District, a distance generally consistent with the setback pattern established by past Urban Renewal projects and developments. The 20-foot area should be mainly lawn-covered or landscaped.
2. To allow adequate light and air, high-rise buildings should generally:
 - a. Keep about 100 feet between other tall buildings.
 - b. Make the upper stories of tall buildings progressively narrower (similar to the Empire State Building); the higher the story, the narrower.
3. The shapes and forms of a building and its orientation to the street, to the people and to nearby buildings should:
 - a. Enhance existing views and vistas--or potential ones.
 - b. Be sensitive to the impact on the pedestrian, including overexposure to the sun, too much wind, or not enough light or air.
 - c. Relate strongly to nearby buildings, particularly at the edges of the districts where stepbacks and changes in buildings height and volume are important.
4. Rooftops should avoid looking cluttered from any vantage point. All mechanical or utility equipment should be well-integrated into the overall design.
5. The exterior of any new construction and improvements should be designed and detailed so that it fits well into its architectural surroundings. Exteriors should:
 - a. Be compatible with the general character of nearby buildings.
 - b. Reinforce the character of any buildings having historic or architectural significance according to the Downtown Development Plan.
 - c. Follow the latest edition of the Secretary of the Interior's Standards for Rehabilitation as a guide whenever historic or architecturally significant structures are involved; in short, don't alter significant features.
6. Lighting--interior and exterior--is important in making buildings and the downtown in general look and feel more inviting 24 hours a day. Lighting should:

- a. Be integrated into the exterior design.
 - b. Help create a greater sense of activity, security and interest to the pedestrian.
7. Garages or parking lots visible from the street should be set back from sidewalk, or a distance equal to the prevailing building line, whichever is greater.
8. Any parking garage visible from the street should be integrated into its surroundings. The garage should:
 - a. Follow all guidelines for Building Design.
 - b. Avoid ramped floors that are clearly visible from the street.
 - c. Make sure the predominant vertical and horizontal architectural forms and patterns within the district are followed.
 - d. Be sensitive to conflicts between cars and pedestrians.
 - e. Have openings and entrances that are in scale with people.
 - f. Provide adequate direction and information signs for motorist.
9. Surface parking lots should ideally not create gaps along the street and sidewalk. Any surface lot in the district should:
 - a. Use landscaping, trees, colonnades or other construction to maintain the line formed by buildings along the sidewalk.
 - b. Make sure there is adequate perimeter landscaping that is high enough to screen but low enough to let people feel safe.
 - c. Interior landscaping--should especially include shade trees.
 - d. Provide adequate direction and information signs for motorist.
10. Any newly developed or improved open space accessible to the public should generally:
 - a. Reinforce the "campus-like" feeling associated with the East-West Downtown District.
 - b. Create a comfortable and interesting place to rest.
 - c. Let people know it's there and it's accessible.
 - d. Provide plenty of seating (about 1 linear feet for every 30 square feet of paved open space).

- e. Have enough lighting to create a safe nighttime environment.
- f. Use fountains or other water features.
- g. Incorporate public art.
- 11. The Downtown Banner Guidelines (pursuant to Ordinance No. 99, Series 1992 and Street Banner Program Guidelines II. D, and IV. A, B, C) apply.
- 12. Fences and walls should create or imply the continuation of the sense of frontage on the sidewalk established by surrounding buildings. (See Open Space and Off-Street Parking Guidelines.)
- 13. Broadway, Second Street, and Roy Wilkins Boulevard/Ninth Street have been identified as future parkways. These streets should be tree-lined and parkway-like in appearance, with landscaping and other right-of-way improvements.
- 14. For the sake of visual continuity, large shade trees should be planted in the right-of-way every 25 feet to 35 feet along the curbline in order to create a continuous canopy.
- 15. A mix if ornamental and shade trees can be planted outside the right-of-way for both shade and visual variety.
- 16. Landscaped areas should have lawn, evergreen ground covers, shrubs, or ornamental plantings that create a pleasant environment for pedestrians.
- 17. Signs should be sensitive to the architectural character of the district, building and project. Accordingly:
 - a. Integrate the sign into the design of the building or project; signs should fit, not cover.
 - b. Avoid gaudy, moving or harshly illuminated signs.
- 18. Advertising signs and billboards are discouraged and should:
 - a. Avoid blocking views and vistas or creating a cluttered appearance.
 - b. Be integrated into the design of a building or project.
 - c. Relate strongly to the character of the district.
- 19. Public art should be available for the enjoyment and enrichment of all the people within the community. Inclusion of a meaningful allowance for the commissioning of public art in the planning and construction of all significant building project is encouraged.

20. The public art planning and selection process should begin at the onset of individual projects. It should be designed, executed and/or supervised by artists or other design professionals to integrate the artwork with the overall project and aesthetically enhance the urban environment.

D. Main-Market District

1. All new construction or improvements should be built to the property lines.
2. New buildings and improvements should respect the strong cornice lines and the sense of light and air in the Main-Market District. Therefore:
 - a. Step back any new construction or additions in the district above the cornice line of Main Street so that the addition or new construction isn't visible to a person standing on any Main Street sidewalk.
3. Whenever nearby buildings are primarily built to the sidewalk, the shapes and forms of new construction or improvements should create a strong, well defined base at pedestrian level that fits well into its context. As a general minimum, this base should be two to three stories.
4. To allow adequate light and air, tall buildings (over 14 stories) along Market Street should generally:
 - a. Keep about 100 feet between other tall buildings within the same block.
 - b. Make the upper stories of tall buildings progressively narrower.
5. The shapes and forms of a building and its orientation to the street, to people and to nearby buildings should:
 - a. Enhance existing views and vistas--or potential ones.
 - b. Be sensitive to the impact on the pedestrian, including overexposure to the sun, too much wind, or not enough light or air.
 - c. Relate strongly to nearby buildings, particularly at the edges of the district where stepbacks and changes in building height and volume are important.
6. Rooftops should avoid looking cluttered from any vantage point. All mechanical or utility equipment should be well-integrated into the overall design.

7. The exterior of any new construction and improvements should be designed and detailed so that it fits well into its architectural surroundings. Exteriors should:
 - a. Be compatible with the general character of nearby buildings.
 - b. Reinforce the character of any buildings having historic or architectural significance according to the Downtown Development Plan.
 - c. Follow the latest edition of the Secretary of the Interior's Standards for Rehabilitation as a guide whenever historic or architecturally significant structures are involved; in short, don't alter significant features.
8. Blank, fortress-like walls at the street level are discouraged. Buildings in the district should:
 - a. Strive to maintain the vertical street-level patterns of architectural details common throughout the district. Columns, doorways, entrances, storefronts and other vertical elements should be approximately every 20 to 40 feet at pedestrian level.
 - b. Use glass to encourage people activity and make buildings look and feel more inviting to the pedestrian. As a general rule, 50 percent of the wall surface next to the pedestrian should be clear.
 - c. Use design details to emphasize the building's base, so that there's a strong horizontal feeling to which people at sidewalk level can easily relate.
9. Lighting--interior and exterior--is important in making buildings and the downtown in general look and feel more inviting 24 hours a day. Lighting should:
 - a. Be integrated into the exterior design.
 - b. Help create a greater sense of activity, security and interest to the pedestrian.
10. Garages, surface parking lots and parking structures within 50 feet of Main Street are discouraged.
11. Any parking garage visible from the street should be integrated into its surroundings and provide an active and inviting street-level use and appearance. The garage should:
 - a. Follow all guidelines for Building Design.
 - b. Avoid ramped floors that are clearly visible from the street.

- c. Make sure the predominant vertical and horizontal architectural forms and patterns within the districts are followed.
 - d. Be sensitive to conflicts between cars and pedestrians.
 - e. Have openings and entrances that are in scale with people.
 - f. Provide adequate direction and information signs for motorists.
- 12. Surface parking lots should ideally not create gaps along the street and sidewalk. Any surface lot in the Main-Market District should:
 - a. Use landscaping, trees, colonnades or other construction to maintain the line formed by buildings along the sidewalk.
 - b. Make sure there is adequate perimeter landscaping that is high enough to screen but low enough to let people feel safe.
 - c. Interior landscaping should especially include shade trees.
 - d. Provide adequate direction and information signs for motorists.
- 13. No new open space should be created within 50 feet of Main Street.
- 14. New open space along Market Street should reinforce the sense of building frontage along the street. As a general rule, any newly developed or improved open space should:
 - a. Be 100 feet away from any other open space.
 - b. Stay 100 feet from any intersection.
 - c. Avoid being any wider or deeper than 100 feet.
 - d. Use fences, trees, benches or other landscaping as a way to continue the sense of building frontage along the sidewalk.
- 15. Any newly developed or improved open space accessible to the public should generally:
 - a. Create a comfortable and interesting place to rest.
 - b. Provide plenty of seating (about 1 linear foot for every 30 square feet of paved open space).
 - c. Have enough lighting to create a safe nighttime environment.
 - d. Use fountains or other water features.
 - e. Incorporate public art.

16. Any newly developed or improved open space not directly accessible to the public should be designed like a garden and should generally:
 - a. Respect the sense of building frontage along the sidewalk.
 - b. Let pedestrians have a full view of the garden.
 - c. Use flowers and planting material that is attractive year-round.
 - d. Create a comfortable and interesting place to rest.
 - e. Have enough lighting to create a safe nighttime environment.
 - f. Use fountains or other water features.
 - g. Incorporate public art.
17. The West Main Street Urban Design and Streetscape Guidelines apply.
18. The Downtown Banner Guidelines (pursuant to Ordinance No 99, Series 1992 and Street Banner Program Guidelines II. D, and IV. A, B, C) apply to the Main-Market District.
19. Fences and walls should create or imply the continuation of the sense of frontage on the sidewalk established by surrounding buildings. (See Open Space and Off-Street Parking Guidelines.)
20. Roy Wilkins Boulevard/Ninth Street and Second Street have been identified as future parkways. These streets should be tree-lined and parkway-like in appearance, and landscaping and other right-of-way improvements.
21. For the sake of visual continuity, large shade trees should be planted in the right-of-way every 25 feet to 35 feet along the curbline on order to create a continuous canopy.
22. A mix of ornamental and shade trees can be planted outside the right-of-way for both shade and visual variety.
23. Signs should be sensitive to the architectural character of the district, building and project. Accordingly:
 - a. Integrate the sign into the design of the building or project; signs should fit, not cover.
 - b. Avoid gaudy, moving or harsh illuminated signs.

24. Advertising signs and billboards are discouraged and should:
 - a. Avoid blocking views and vistas or creating a cluttered appearance.
 - b. Be integrated into the design of a building or project.
 - c. Relate strongly to the character of the district.
25. Public art should be available for the enjoyment and enrichment of all the people within the community. Inclusion of a meaningful allowance for the commissioning of public art in the planning and construction of all significant building projects is encouraged.
26. The public art planning and selection process should begin at the onset of individual projects. It should be designed, executed and/or supervised by artists or other design professionals to integrate the artwork with the overall project and aesthetically enhance the urban environment.

E. Waterfront View District

1. Buildings should be set back about 20 feet from the sidewalk in order to enhance views and access to the waterfront.
2. To allow adequate light and air, tall buildings (over 14 stories) should generally:
 - a. Keep about 100 feet between other tall buildings within the same block.
 - b. Make the upper stories of tall buildings progressively narrower.
3. The shapes and forms of a building and its orientation to the street, to people and to nearby buildings should:
 - a. Enhance existing views and vistas--or potential ones.
 - b. Be sensitive to any impact on the pedestrian, including overexposure to the sun, too much wind, or not enough light or air.
 - c. Relate strongly to nearby buildings, particularly at the edges of the district where stepbacks and changes in building height and volume are important.
4. Rooftops should avoid looking cluttered from any vantage point. All mechanical or utility equipment should be well-integrated into the overall design.

5. The exterior of any construction, improvements or alterations should be designed and detailed so that it fits well into its architectural surroundings. Exteriors should be compatible with the general character of nearby buildings.
6. Lighting--interior and exterior--is important in making buildings and the downtown in general look and feel more inviting 24 hours a day. Lighting should:
 - a. Be integrated into the exterior design.
 - b. Help create a greater sense of activity, security and interest to the pedestrian.
7. In order to view the waterfront, any parking garages visible from the street should be set back 20 feet from the sidewalk, or a distance consistent with the prevailing building line, whichever is greater. The garage should:
 - a. Follow all guidelines for Building Design.
 - b. Avoid ramped floors that are clearly visible from the street.
 - c. Make sure the predominant vertical and horizontal architectural forms and patterns within the district are followed.
 - d. Be sensitive to conflicts between cars and pedestrians.
 - e. Have openings and entrances that are in scale with people.
 - f. Provide adequate direction and information signs for motorists.
8. Any surface lot in the district should:
 - a. Make sure there is adequate perimeter landscaping that is high enough to screen but low enough to let people feel safe.
 - b. Interior landscaping--should especially include shade trees.
 - c. Provide adequate directions and information signs for motorists.
9. Any open space accessible to the public should generally:
 - a. Enhance pedestrian access to the waterfront, Belvedere and surrounding areas.
 - b. Reinforce views of the waterfront.
 - c. Create a comfortable and interesting place to rest.

- d. Let people clearly know it's there and that it's accessible.
- e. Provide plenty of seating (about one linear foot for every 30 square feet of paved open space.)
- f. Have enough lighting to create a safe nighttime environment.
- g. Use fountains or other water features.
- h. Incorporate public art.
10. The Downtown Banner Guidelines (pursuant to Ordinance No. 99, Series 1992 and Street Banner Program Guidelines II. D, and IV. A, B, C) apply.
11. Fences and walls should reinforce the sidewalk line while enhancing views of the waterfront.
12. River Road and Second Street have been identified as future parkways. These streets should be tree-lined and parkway-like in appearance, with landscaping and other right-of-way improvements.
13. For the sake of visual continuity, large shade trees should be planted in the right-of-way every 25 feet to 35 feet along the curbline in order to create a continuous canopy.
14. A mix of ornamental and shade trees can be planted outside the right-of-way for both shade and visual variety.
15. Landscaped areas should have lawn, evergreen ground covers, shrubs, or ornamental plantings that create a pleasant environment for pedestrians.
16. Signs should be sensitive to the architectural character of the district, building and project. Accordingly:
 - a. Integrate the sign into the design of the building or project; signs should fit, not cover.
 - b. Avoid gaudy, moving or harshly illuminated signs.
17. Advertising signs and billboards are discouraged and should:
 - a. Avoid blocking views and vistas or creating a cluttered appearance.
 - b. Be integrated into the design of a building or project.

18. Public art should be available for the enjoyment and enrichment of all the people within the community. Inclusion of a meaningful allowance for the Commissioning of public art in the planning and construction of all significant building projects is encouraged.
19. The public art planning and selection process should begin at the onset of individual projects. It should be designed, executed and/or supervised by artists or other design professionals to integrate the artwork with the overall project and aesthetically enhance the urban environment.

F. Exempt Activities

1. The following development activities shall be exempt from review under the Development Review Guidelines:
 - a. Ordinary repairs
 - b. Removal of existing signage without replacement
 - c. Temporary signage or structures
 - d. Emergency repairs ordered by a City Building Code enforcement official in order to protect health and safety
 - e. Alterations or major structural change only to the interior of the structure
 - f. Development activity which falls within the jurisdiction of the Louisville Landmarks Commission.
2. All development activity within the overlay districts established by this chapter, except for exempt activities described in Subsection (A) of this Section shall be classified pursuant to the procedures set forth in § 158.08 of this chapter as either requiring expedited or non-expedited review under the Guidelines, as follows:
 - a. The following development activities shall be subject to expedited review:
 - i. Landscaping,
 - ii. Sidewalk/Street Paving; Lighting; Streetscape Furnishings; Banners,
 - iii. Signage; and,
 - iv. Exterior alterations which are not major structural changes.
 - b. The following development activities shall be subject to non-expedited review:

- i. New construction,
- ii. Major structural change, and
- iii. Parking facility development or redevelopment.

G. Permit Requirements and Appeal

1. No permit or certificate of occupancy shall be issued by any City agency for any development activity within an overlay district unless an overlay district permit for such development activity has been obtained pursuant to this chapter.
2. An application for development within an overlay district shall be submitted to the Department of Inspections, Permits and Licenses on a form prepared in collaboration with the Authority. The application shall include at least the following information, unless waived pursuant to Subsection (C) of this Section:
 - a. A site plan, drawn to an appropriate scale, photographs or other presentation media showing the proposed development in the context of property lines, adjacent structures, streets, sidewalks, etc.
 - b. Plans, elevations and other drawings, drawn to appropriate scale, as may be necessary to fully explain all proposed structures or alterations to structures.
 - c. Details of urban design elements, off-street parking, landscaping, fencing or walls, signage, streetscape and other aspects as may be necessary to fully present the proposed development.
3. Applicants may seek review of a development proposal prior to making formal application pursuant to Subsection (B) of this Section. The preliminary review shall be conducted by the Urban Design Administrator to determine if the minimal requirements for acceptance of the application have been met. The Urban Design Administrator may agree to waive certain of the requirements set out in Subsection (B) of this Section if he determines that such requirements are not necessary for review of the application pursuant to this chapter. An applicant whose proposal has been determined to require non-expedited approval, may seek a preliminary review of his development proposal by the Committee.
4. Within two working days of receipt of an application determined to be complete, the Urban Design Administrator, shall classify the development proposal as either exempt, or not exempt, requiring either expedited or non-expedited approval.

5. A permit application classified as requiring expedited approval shall be reviewed by the Urban Design Administrator who shall, within three working days after classification, prepare a written decision supported by a finding of fact which shall approve the overlay district permit, approve the permit with conditions, or deny the permit. An applicant, within five days of receipt of the decision of the Urban Design Administrator on a proposal requiring expedited review, may request appeal of the application to the Committee. The application shall be reviewed as provided in paragraph (F) of this Section for applications classified as requiring non-expedited approval, except that the Committee shall consider the application at its next regularly scheduled meeting following the request, provided that such request is made not later than four working days prior to the meeting.
6. A permit application classified as requiring a non-expedited approval shall be reviewed by the Committee within 14 days of classification. The permit application shall be reviewed by the Urban Design Administrator in accordance with the Guidelines and forwarded to the Committee with the Urban Design Administrator's written recommendation to either approve the permit, approve the permit with conditions, or to deny the permit.
7. The applicant shall be sent, by first class mail, written notice of the date, time and location of the meeting of the Committee at which his application shall be considered. The notice shall be sent no later than ten days prior to the date of the meeting, unless such notice is waived by the applicant.
8. At the meeting scheduled to consider the applicant's permit request, the Committee shall consider the written recommendation of the Urban Design Administrator and such other information as the applicant chooses to present for the Committee's consideration.
9. The Committee shall, by majority vote of the members present, make a decision, supported by a written finding of fact, which shall approve the permit, approve the permit with conditions, deny the permit, or defer consideration of the application until the next meeting of the Committee. Consideration of an application shall not be deferred more than one time. If the Committee defers consideration of an application it shall state the reason for such deferral.

10. The Executive Director shall review all decisions of the Urban Design Administrator and the Committee and may, within three working days, refer any application back to the Urban Design Administrator or the Committee, as appropriate, if he determines the decision is not adequately supported by the finding of fact. The Executive Director shall state in writing his objections to the decision. The Committee shall consider and render a final decision upon the remanded application at its next regularly scheduled meeting.
11. The Urban Design Administrator, and the Committee shall, in their decision making capacities, each make written findings of fact based upon the information presented in each application which support written conclusions that the application demonstrates that the proposed development activity is in compliance with the Guidelines.
12. If, after an applicant has obtained an overlay district permit, the development proposal is amended, he shall submit the amended development proposal to the Urban Design Administrator who shall make a determination that the amendment has no significant impact or that the development proposal as amended requires additional review. Review of an amended proposal shall follow the same procedure as provided herein for an original application. Upon a determination by the Urban Design Administrator that the amended proposal requires review, the previously issued overlay district permit shall be suspended pending the review of the amended development proposal.
13. Any applicant who is denied a permit shall have a right of appeal to the Board of Zoning Adjustment. The appeal from the written denial of the permit shall be taken within 30 days of the date of such written denial.

Exhibit D

DEVELOPMENT REVIEW GUIDELINES URBAN DESIGN PRINCIPLES AND DISTRICT GUIDELINES

The nine (9) urban design principles defined below were developed from the recommendations of the Louisville Downtown Development Plan adopted by the Board of Aldermen in August 1990. These nine principles apply to each of the four (4) development review overlay districts identified within the downtown area. For each of the four overlay districts, there are district guidelines that relate to each of the nine principles.

Principle 1

Building Location - How the building should relate to the sidewalk

Different downtown districts have taken on distinct identities over time that need to be respected. Buildings in some areas are set back from the sidewalk, creating an open feeling. Others give people a feeling of density and activity, with buildings built right up to the sidewalk.

Principle 2

Building Mass and Form - A building's exterior volume

Buildings should allow adequate light and air to get to the street level. Vistas and views from publicly owned areas are also important. Buildings shouldn't create canyons along sidewalks and streets.

Principle 3

Building-to-Building Character - How building facades should look along the street

A certain amount of architectural diversity is expected in any downtown. However, buildings should also be "good neighbors" by relating well to the common patterns of windows, entrances, cornice lines and column spacings around them and reinforcing the overall character of their immediate surroundings.

Principle 4

Building-to-Pedestrian Character - How building facades should relate to people on the street and sidewalk

People should have strong visual connections to buildings. That's because human-scaled details on buildings help create a vital, friendly place for pedestrians. A strong building-to-pedestrian relationship helps make downtown feel more inviting and active 24 hours a day.

Principle 5

Off-Street Parking

Parking garages and surface parking lots should have the same qualities and characteristics as any other downtown development. In other words, parking developments should relate strongly to nearby buildings and should be designed to promote comfort and safety for pedestrians on the street and the sidewalk.

Principle 6

Open Space

New open space should be located and designed to relate strongly to pedestrians and to buildings nearby. New or improved open space should make the downtown less barren and more active, livable and pleasant feeling.

Principle 7

Street and Sidewalk Character - Sidewalk and street paving, lighting, furniture, banners, fences, walls and landscaping

Downtown streets and sidewalks should be safe and attractive for both cars and pedestrians. Getting from one place to another should be a pleasant, comfortable and rewarding downtown experience.

Principle 8

Signs should provide clear information without overwhelming the reader. Signs should complement other signs and blend with buildings and the rest of their surroundings.

Principle 9

Art and Amenities

Public art and other amenities are part of our community's strong cultural heritage. They enrich and enliven people's experience of the downtown. Public art also creates a sense of pride, enhances property values and should be encouraged.